



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

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JUN 27 1989

OFFICE OF  
WATER

MEMORANDUM

SUBJECT: Region V Policies Regarding the UIC Program

FROM: Michael B. Cook, Director  
Office of Drinking Water

*Mike Cook*

TO: Charles Sutfin, Director  
Water Division, Region V

I have recently received several pieces of correspondence from your office which give me some concern about Region V policies regarding the UIC program. I am referring specifically to your memorandum of May 26, 1989, regarding Alternative Mechanical Integrity Test (MIT) for Class III Salt Solution Mining Wells, and your letter of June 6, 1989, to Mr. Richard Shockley, Director of the Illinois Department of Mines and Minerals.

In both of these documents you are taking positions which are somewhat at odds with national policy and are not supported by the current regulatory scheme. I am particularly concerned with your statement that mechanical integrity tests must detect all leaks, not just "significant leaks" as required by the regulation. In fact, all the tests that we have approved have a sensitivity threshold and only detect leaks which are above that threshold. Please note that this issue is different from the definition of a significant non-compliance. Tests which have been approved for MIT are intended to detect leaks or fluid movement above a certain threshold. In the case of a pressure test, for example, if a leak is detected the well has failed MIT. However, if the leak is in the tubing of a well completed with long string casing and a packer the failure would not be considered an SNC.

I am also concerned with your statement to the State of Illinois that there must be a demonstration for existing Class II wells that interformational fluid movement does not occur. The regulations clearly allow the Director of a State program to give a variance from the standard casing and cementing requirements to existing wells provided that they do not present a significant risk to health. This was clearly stated in my October 16, 1987 memorandum on casing and cementing. Also, as

stated in that memorandum, whether or not fluid movement behind the casing would present a significant risk to health is highly dependent on local conditions including reservoir conditions, hydrogeology, and historical production practices and can vary from State to State and even between various fields in a State.

Finally, I am also very concerned with the continuing disproportionate number of wells from Region V on the Exceptions List. This number is very difficult to explain in a national context and gives a very distorted image of the program. My staff has discussed this issue with yours but so far no satisfactory resolution has been found. I understand that you want to give these wells a high priority within the Region and certainly support you on this, but I would prefer that you use an internal management system to deal with these wells. According to your mid-year Self Evaluation, at the beginning of FY 1989 there were 1,199 wells on the exceptions list, these numbers were reduced to 1,075 by the end of the second quarter. At this rate it may take several years to address the entire list. Is there any help we can provide from headquarters to accelerate the process? Further, the UIPC review of the Ohio program pointed out that in accordance with your instructions the State is not following national policy in determining SNCs. This will compound the problem.

I believe that it is time to put some of these issues to rest, and I have asked Bob Blanco and Francoise Brasier to meet with you and your staff to discuss and resolve these differences. Bob will call you shortly to arrange for a convenient time.